

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

COUNTRY LIFE OUTFITTERS, INC., )  
                                       )  
Plaintiff,                         )  
                                       )  
v.                                     )    No. 3:15-CV-405-TAV-HBG  
                                       )  
JODI VAZIRANI, individually and doing business )  
as HEART OF DIXIE, a sole proprietorship             )  
owned and operated by JODI VAZIRANI,                 )  
                                       )  
Defendant.                         )  
                                       )

**ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is Plaintiff's Motion to Strike [Doc. 12]. In its motion, Plaintiff moves the Court to strike the final paragraph of Defendant's Answer [Doc. 10]. In support of this position, Plaintiff argues that the paragraph is not consistent with Rule 12 of the Federal Rules of Civil Procedure because it does not articulate a valid defense or offer an appropriate basis upon which a defense could be preserved. Further, to the extent it could be interpreted as requesting dismissal of the Complaint, Plaintiff argues it is not appropriate to incorporate such a request into a responsive pleading.

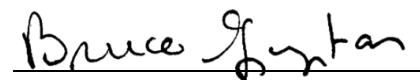
Defendant has not responded in opposition to the Motion to Strike, and the time for doing so has expired, see E.D. Tenn. L.R. 7.1; Fed. R. Civ. P. 5, 6. The Court may treat this lack of response as acquiescence to the relief sought. See E.D. Tenn. L.R. 7.2. The Court finds that the Motion to Strike may be granted on this basis alone.

Further, the Court has reviewed the Motion to Strike and finds that its arguments appear to be appropriately supported and consistent with applicable law.

Based upon the foregoing, the Court finds that the Motion to Strike [Doc. 12] is well-taken, and it is **GRANTED**. The final paragraph of the Answer is **STRICKEN**.

**IT IS SO ORDERED.**

ENTER:

  
United States Magistrate Judge